

WISHA ADVISORY COMMITTEE (WAC)
MEETING MINUTES
May 12, 2011
L&I Headquarters, Room S119

Members Present: Anne Soiza, Deputy Assistant Director, Department of Labor & Industries; Sharon Ness, United Staff Nurses Local 141; Ed Wood, Jr., Communication Workers of America Local 7818; David Threedy, Board of Industrial Insurance Appeals; Corwyn Fischer, Washington Farm Bureau; Rebecca Johnson, Washington State Labor Council; and Claude Golden, The Boeing Company.

Absent: Randy Loomans, International Union of Operating Engineers Local 302; Mike Fallon, PCL Construction Service.

Guests: Donovan Quebedeaux, BIAW; Janice Camp, University of Washington; Grant Nelson, Association of Washington Business; Steve Cant, International Brotherhood of Electrical Workers Local 77.

Staff Present: Michael Silverstein, DOSH Assistant Director; Maggie Leland, DOSH Administration ; Dan McMurdie, DOSH Standards & Technical Services; Bruce Zeller, DOSH Education & Outreach; John Furman, DOSH Technical Services; Pam Edwards, DOSH Technical Services; Dave Johnson, DOSH Technical Services; Lezlie Perrin, DOSH Reassumptions & Audit; and Bonnie Simpson, DOSH Administration.

Recorder: Bonnie Simpson

Opening Remarks – Anne Soiza & Michael Silverstein

- The WISHA Advisory Committee has a vacancy for an employer position on the panel. The position previously held by Vaughn Mowery position has not been filled. We are encouraging the employer community to nominate three names to be considered to fill the vacancy.
- Legislature is now in special session and is focused on Workers' Compensation and the state budget. Two bills that passed this year affect worker safety and health. The first bill that passed legislation is Senate Bill 5594 - *AN ACT Relating to handling of hazardous drugs*. This bill offers protection for healthcare workers from hazardous drugs such as chemotherapy treatment drugs and requires that The National Institute for Occupational Safety and Health (NIOSH) guidelines be adopted as rules. DOSH is creating a list of interested parties from the healthcare industry to invite to the initial stakeholder meeting to discuss our process to set rule making in motion. We are the first and only state in the country to have this requirement in place.
- The second bill that passed is Senate Bill 5068 - *AN ACT Relating to the abatement of violations of the Washington industrial safety and health act during an appeal*. If an employer appeals a serious violation, they will have to now correct the hazards that are related to the serious violation even during the appeal process. It gives employers the right to file a request for a stay from Labor and Industries or the Board of Industrial Insurance

Appeals when they appeal if they do not want to abate a violation. DOSH will be creating a group of stakeholders to talk about the process and then proceed with rulemaking.

- The Safety and Health Investment Program (SHIP) was also discussed in legislation. There is a statutory provision or budget provision that would provide the Department with funds to continue SHIP projects. There is a possibility that there may not be any funding for SHIP to continue after the end of this biennium.
- DOSH had our first meeting with investigators from the Joint Legislative Audit Review Committee (JLARC). JLARC is an arm of the Legislature, a bipartisan committee of legislators with staff that do audits of executive agencies programs at the request of legislators. JLARC is performing a scoping process to decide what they will be looking at, such as how DOSH established its priorities, how we decide what work places we are going to inspect, and how we are going to make decisions on how we are going to deploy our personnel. DOSH would like to invite JLARC to possibility attend a WAC meeting or meet with all or some of the WAC members. DOSH will receive a draft of the JLARC report around the first of 2012.

Prioritization Project: *Maggie Leland*

- DOSH provided handouts of the overall prevention index for 3 and 4 digit NAICS codes; Drill down of NAICS code 2361 Residential Building Construction; NAICS code 2383, Foundation, Structure, and Building Exterior Contractors; “Big Dig” injury and Illness data- State fund 2001-2009; and NORA Sector Group. The packets contain the ranking of each industry within the NAICS codes with a description for each industry. These two industries rank fourth and fifth on the prevention index list.
 - Follow-up on General Freight Trucking: General Freight Long Distance represents truckers that generally provide trucking between metropolitan areas which cross North America country borders, so this includes state and national lines. General Freight Local can cross state lines but are generally day trips with same day return.
- The “Big Dig” data provides injury and illness information for the Agriculture, Forestry & Fishing, Construction, Healthcare & Social Assistance, Manufacturing, Services, Transportation, Warehousing & Utilities, and Wholesale and Retail Trade industry sectors.
- . This data is looking at cost and rates of time loss days. This data is based only on state fund data from 2001-2009.
 - Mesothelioma tracking: There is now a registry that has anyone who has cancer can be added and maybe able to use it for tracking in the future. We are aware we do not have the tools to track Mesothelioma at this time.

Committee Update: *All*

- DOSH would like to revisit what we need from the committee for advice and guidance on where DOSH needs to be on steering resources we provide, such as our website, mailings, meetings, stakeholder groups, outreach efforts, consultation and enforcement efforts. The committee was given three questions to help provide answers to. The questions are as following:
 - ***When looking at the data we have provided over the last year, are there industry sectors or injury/illness events types where DOSH should pay more attention?***

- ***Narrowing the list further, which one or two industry sectors or injury/illness event types need the most additional attention from DOSH?***
- ***What specific things should DOSH do to help address the prevention of these injuries and illnesses?***
- Committee will complete the three questions during extended meeting on August 17, 2011.

Draft WISHA Regional Directive: *John Furman*

- With changes in our scheduling system and with the slowdown in construction our presence in non-construction industries has increased and with that the chemical hazard issues has increased awareness with our emergency eyewash requirements. We have been receiving inquiries from different industry sectors and employers asking for additional clarification of those requirements. DOSH also wanted to give additional direction to our staff and we put the draft directive together.
- The present requirements have been in place since 1999 and there is nothing new in the directive, DOSH is just clarifying requirements that have been in place for a significant period of time. DOSH has definitions of hazardous chemicals that are different from OSHA's and has adopted some of the components of the American National Standards Institute's (ANSI) emergency washing standard.
- Comments on WISHA Regional Directive (WRD):
 - Many hospitals have eyewash stations located in the medication room and they are locked.
 - Training employees to use eyewash station.
 - Exposure to bodily fluids.
 - WRDs are written for internal staff not for employers. Employers do not have to contact the chemical manufacturer; they can rely on the MSDS and the label. DOSH could make it clearer in the WRD.

SHARP Update: *Barbara Silverstein*

- SHARP did a study of the impact of enforcement and consultation visits on workers' compensation claims rates and cost from 1999-2009.
- For "fixed-site industry workplaces were associated with a decline in claims rates relative to those businesses that had no DOSH visits. DOSH enforcement inspections were associated with a 4.3% larger decrease in compensable claims rates relative to employers with no DOSH activity. DOSH consultation visits were not associated with a statistical significant decrease in compensable claims rates relative to employers with no DOSH activity.
- At non-fixed sites businesses SHARP has been unable to find significant changes among business in this sector. DOSH enforcement inspections were associated with a 3.1% larger decrease in compensable claims rates relative to employers with no DOSH activity and DOSH consultation visits were associated with an 8.5% larger decrease in compensable claims rates relative to employers with no DOSH activity.

DOSH Outreach Update: *Bruce Zeller*

- DOSH has updated our website for the last 9 months with usability testing and we have updated our webpage with the most current activities. DOSH has added a feature that “smart” phone users can access our site easier. Outreach has also added a draft page on safety training. If anyone has any input on the pages please contact Bruce Zeller zell235@Lni.wa.gov with any input.
- Outreach has begun taking fatalities and hospitalizations and preparing presentations on those incidents and adding animation. The intent of these videos is to tell a tragic story and tie them in with safety awareness for employers to use.

Next Meeting - All

The meeting of the WAC will be:

Date: August 17, 2011

Time: 9:00 a.m. to 4:00

Location: L&I Headquarters, S117

Proposed Agenda items (so far) for August 2011:

Action Items -

Committee Members	August 17, 2011 1:00-4:00 Meeting to discuss the three questions presented to the committee from DOSH
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With no other business to discuss, the meeting was adjourned.

Many individuals are sensitive to fragrances, colognes, scented lotions, etc. Please be courteous of respiratory sensitivities and do not wear fragrances to WISHA Advisory Committee meetings. Thank you.